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Report to the Colorado General Assembly:

STATE CRIME BUREAU AND POLICE ACADEMY



COLORADO LEGISLATIVE COUNCIL

RESEARCH PUBLICATION NO. 54

DECEMBER, 1961

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OF THE
COLORADO GENERAL ASSEMBLY

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* * * * *

The Legislative Council, which is composed of five Senators, six Representatives, and the presiding officers of the two houses, serves as a continuing research agency for the legislature through the maintenance of a trained staff. Between sessions, research activities are concentrated on the study of relatively broad problems formally proposed by legislators, and the publication and distribution of factual reports to aid in their solution.

During the sessions, the emphasis is on supplying legislators, on individual request, with personal memoranda, providing them with information needed to handle their own legislative problems. Reports and memoranda both give pertinent data in the form of facts, figures, arguments, and alternatives.

LEGISLATIVE COUNCIL
REPORT TO THE
COLORADO GENERAL ASSEMBLY

STATE CRIME BUREAU
AND
POLICE ACADEMY

Research Publication No. 54
December, 1961

COLORADO GENERAL ASSEMBLY



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ROOM 341, STATE CAPITOL
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ACOMA 2-9911 - EXTENSION 2285

December 1, 1961

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REP. GUY POE

To Members of the Forty-third Colorado General Assembly:

The Criminal Code Committee established by the Legislative Council under the directives of Senate Joint Resolution No. 14, 1961 regular session, presented the accompanying report on a central crime bureau to the Council at its meeting on November 30, 1961. This report was accepted at that time for transmission to the Second Regular Session of the General Assembly.

The Governor has indicated that this subject will be placed before the members of the General Assembly in January, and the committee and the Legislative Council believe that the information contained in the report would prove helpful in any consideration of this subject.

Respectfully submitted,

James E. Donnelly
Chairman

COLORADO GENERAL ASSEMBLY



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REP. GUY POE

LETTER OF TRANSMITTAL

December 4, 1961

Senator James E. Donnelly, Chairman
Colorado Legislative Council
State Capitol
Denver 2, Colorado

Dear Mr. Chairman:

Transmitted herewith is the report on state crime bureaus and police training programs prepared by the Legislative Council Criminal Code Committee as requested by the Legislative Council pursuant to House Resolution No. 7 (1961). This report covers background information and the various proposals which have been made regarding a state crime bureau and laboratory and a police academy. Also included is a summary of central crime bureaus and police training programs in other states.

Respectfully submitted,

/s/ Senator Charles E. Bennett
Chairman
Criminal Code Committee

FOREWORD

This study was authorized by House Resolution No. 7, passed at the first session of the Forty-third General Assembly and was assigned to the Criminal Code Committee by the Legislative Council.¹ House Resolution No. 7 (1961) directed the Legislative Council to study "the feasibility, cost, and possible location of a state bureau of criminal investigation and laboratory."

The Criminal Code Committee is composed of the following legislators: Senator Charles E. Bennett, Denver, chairman; Senator Wilkie Ham, Lamar, vice chairman; Senator Edward J. Byrne, Denver; Senator Carl W. Fulghum, Glenwood Springs; Senator J. William Wells, Brighton; Senator Paul E. Wenke, Fort Collins; Senator Earl A. Wolvington, Sterling; Representative Robert S. Eberhardt, Denver; Representative Frank E. Evans, Pueblo; Representative Bert A. Gallegos, Denver; Representative Harry C. Johns, Hygiene; Representative John L. Kane, Northglenn; Representative Harold L. McCormick, Canon City; Representative Phillip Massari, Trinidad; and Representative Walter R. Stalker, Joes.

This subject was considered sufficiently important by the Criminal Code Committee to warrant top priority among the many topics on the committee's study agenda. Although the resolution authorizing this study limited the subject matter to a central crime bureau and laboratory, the committee found it necessary to consider police training programs as well; the most recent proposals brought before the committee provide for a central crime bureau and police academy to be operated in conjunction with each other.

While there are a number of questions still to be answered regarding a central crime bureau and a police training program, the Criminal Code Committee has submitted this report at this time to provide the General Assembly with background information on these two important subjects.

Lyle C. Kyle
Director

December 4, 1961

1. The Criminal Code Committee was appointed by the Legislative Council pursuant to Senate Joint Resolution No. 14 (1961).

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COMMITTEE FINDINGS AND RECOMMENDATIONS

Central Crime Bureau

The creation of a central crime bureau and laboratory in Colorado has been advocated by a number of law enforcement officials and legislators during the past 10 years. Legislation to establish such a state central agency was introduced in five different sessions of the General Assembly, beginning in 1951; however, none of these measures passed in the house of origin. The most recent legislative effort was the introduction of House Bill 255 in the first session of the Forty-third General Assembly (1961). This bill was postponed indefinitely by the House Rules Committee, and the House passed House Resolution No. 7, which directed the Legislative Council to study "the feasibility, cost, and possible location of a state bureau of criminal investigation and laboratory."

Until recent years, laboratory and identification services have been provided on a limited basis to law enforcement officials throughout the state by the Denver Police Department. But increased workload coupled with equipment and personnel limitations have made it presently impossible for Denver to provide assistance to any law enforcement officials outside of the Denver metropolitan area. The unavailability of technical assistance from Denver is one reason why there has been renewed interest in the creation of a central agency. Recent law enforcement problems in Denver and the metropolitan area, increasing crime rates, and conflicts over jurisdiction and investigative procedures between some district attorneys and sheriffs have all focused state-wide attention on law enforcement and proposals for improvement, especially the creation of a central crime bureau and laboratory.

Arguments for a Central Crime Bureau

- 1) A central crime bureau would be of great help to law enforcement officials throughout the state through laboratory analysis, identification and other technical assistance, and field investigation assistance.
- 2) With the exception of the Denver metropolitan area, Pueblo, and Colorado Springs, law enforcement officials are generally untrained and lack the necessary technical knowledge for performing investigative functions.
- 3) The creation of a central crime bureau and laboratory would strengthen local law enforcement efforts while preserving local jurisdiction, and thus would eliminate the need for a state police force, the establishment of which has traditionally been opposed in Colorado.
- 4) Central crime bureaus and laboratories are operating successfully in at least 39 states and have been well-accepted by law enforcement officials.

Arguments Against a Central Crime Bureau

1) The creation of a central crime bureau would result in an usurpation of local law enforcement control, regardless of safeguards which may be written into any proposed legislation.

2) The creation and operation of such an agency would be expensive and many small communities and counties would not be likely to avail themselves of the services offered if required to pay for them on a fee basis.

3) Law enforcement officials in many rural areas do not have the time, personnel, or facilities to keep the records and provide the reports which a central crime bureau would require.

4) The red-tape which might be involved in obtaining the services of the proposed agency could hamper and delay local law enforcement efforts rather than help them.

Provisions of House Bill 255 (1961)

Organization and Administration. A state bureau of criminal identification and laboratory would be established under the attorney general. The attorney general would appoint the director of the bureau, who would be under civil service. The director would have the authority to appoint other employees, all of whom would also be under civil service. Subject to the approval of the attorney general, the director would have the authority to administer the agency's program, including the promulgation of rules and regulations.

Functions of the Bureau. The bureau's functions would include:

1) procurement and maintenance of files covering photographs, outline pictures, descriptions, fingerprints, measurements, statistics, and related data;

2) establishment and maintenance of laboratory facilities;

3) establishment of a police sciences training program for all law enforcement officers in the state;

4) provision of information contained in the files to any local, state, or federal law enforcement agency and to prosecuting attorneys, courts of record, parole and probation departments, and coroners' or medical examiners' offices; and

5) provision of assistance upon written request to local law enforcement agencies and prosecuting attorneys in investigating crimes, including the identification, apprehension, and prosecution of offenders.

Duties of Local Peace Officers. Local law enforcement officials and the chief of the Colorado State Patrol would be required to transmit to the bureau all records, statistics, fingerprints, photographs, outline pictures, and other data. Reports to the bureau

would be at such times and on such forms as prescribed by the director in compliance with the rules and procedures of uniform crime reporting. The wardens of the state correctional institutions would also be required to furnish information on all persons received for confinement, discharged, or released on parole.

Local Investigations. No bureau employee would assist in a local investigation unless such assistance was requested in writing by a sheriff, police chief, or prosecuting attorney. The director and other bureau employees would have peace officers' powers only when requested to perform police functions, and local law enforcement officials who request bureau assistance would have the authority to deputize bureau employees for the period during which their assistance is required. Bureau employees, however, would be prohibited from superseding or usurping the powers of local law enforcement officers and prosecuting attorneys.

Reaction to House Bill 255 (1961)

The result of a survey of peace officers throughout the state made during the first three months of 1961 indicated strong support for House Bill 255. This survey was made by the State Crime Laboratory Committee, an informal group of law enforcement officials and interested citizens, and replies were received from 89 law enforcement officials, 85 of whom favored House Bill 255. These results do not necessarily indicate that all local law enforcement officials in the state are strongly in favor of the proposal, because only one-half of the sheriffs and slightly more than one-fourth of the municipal police officials responded. It should be noted, however, that responses were received from all areas of the state and from many law enforcement officials in both small and medium-size municipalities and counties.

One of the police chiefs who answered the survey questionnaire expressed the fear that a central crime bureau might usurp local law enforcement, and so, he opposed the measure. Another police chief favored House Bill 255 but stressed the need to have local approval before state investigators undertook field work. The sheriffs of Larimer and Mesa counties supported the bill but were concerned over giving the attorney general too much authority. As an alternative they suggested that local law enforcement officials be given a voice in selecting the bureau's director. There was some difference of opinion over the functions of the proposed bureau, with some support for limiting the bureau to identification and laboratory services, although one police chief stated that identification services were not needed, because the F.B.I. already provides adequate information. A Another police chief from a small city saw the central bureau as a great service to small communities, if they were not required to support it on a fee basis.

County Sheriffs. At the October 6, 1961, meeting of the County Sheriffs' Association, the provisions of House Bill 255 were discussed along with central crime bureaus generally. The sheriffs were generally in favor of a central agency to serve as a clearing house on information and to perform laboratory tests. There was considerable opposition to the provision for field investigation services, even

though such services would be provided only upon request of a sheriff, police chief, or district attorney. As alternatives, they suggested either deleting the provisions pertaining to field investigations, or giving the sheriffs sole authority to request such assistance.

Governor's Support. In connection with his recommendation that a state police academy be established to provide training for all law enforcement officers within the state, Governor McNichols has advocated the creation of a central crime bureau and laboratory. It was his opinion that the crime bureau and laboratory should be located within the police academy and associated with it, and he recommended that both these functions be placed directly under the governor's supervision.

Cost of Establishing and Operating a Central Crime Bureau

Capital Outlay. It is practically impossible to estimate the costs for land and building construction, as no decision has been made as to where the crime bureau is to be located, whether a new facility is needed or an existing facility can be remodeled, or whether the crime bureau will be housed within a state police academy. An estimate can be made, however, of initial capital outlay for equipment. Judging from experience in other states, it would cost approximately \$20,000 to equip a crime laboratory adequately, including office and field equipment. Other office and field equipment, including two automobiles, a polygraph, and two-way radio equipment, would cost approximately an additional \$20,000. In other words, it would require an initial capital outlay of at least \$40,000, exclusive of the cost of land or building construction, to equip a central crime bureau and laboratory.

Operating Costs. The median annual per capita cost of operating a central crime bureau and laboratory in other states is \$.051. On this basis, it would cost approximately \$90,000 annually in Colorado. It should be remembered, however, that this per capita cost figure includes states which have crime bureau as a state police adjunct (cost is usually lower) and those which perform extensive investigation services in connection with the central bureau's operation (cost is usually higher).

It is difficult to estimate operating costs accurately without a clear understanding of the crime bureau's functions and the number of people required to staff it adequately. As an example, Oregon (with approximately the same population as Colorado) has five staff members. The annual per capita cost in Oregon is only \$.025, because the Oregon bureau is operated as a division of the state police, and field investigations and related clerical work are performed by other state police personnel. Consequently, the bureau in Colorado as proposed in House Bill 255 might also require one or two clerk-typists and at least one or two field investigators. Without the inclusion of field investigation it might be possible to have a staff very similar in size to Oregon's, with the addition of one or two clerk-typists. The cost reduction resulting from a saving of field investigators' salaries, travel, and equipment might bring the annual budget down to approximately \$60,000.

Police Training Programs

Very closely related to the establishment of a central crime bureau and laboratory are proposals for a state police academy, which would provide pre-service and in-service training for all law enforcement officers within the state. In the past, efforts at improving law enforcement in the state have been directed primarily at the creation of a central crime bureau; police training was considered important but secondary. At the present time, however, police training has been considered by many to be the foremost need and to be of at least equal importance by others. The recent Denver police scandal and metropolitan area law enforcement problems have caused attention to be focused on the adequacy of training received by law enforcement officers and has led to increased emphasis being placed on adequate training as a means of improving law enforcement throughout the state.

Law Enforcement Training Now Provided in Colorado

Present training programs for law enforcement officials in Colorado are limited to: 1) pre-service and in-service training program of the Colorado State Patrol; 2) Denver police department's pre-service training program for recruits; 3) pre-service police training programs in Colorado Springs, and Pueblo; 4) the annual two-week crime institute in Boulder for all law enforcement officials; 5) occasional three and four-day short courses conducted in various areas of the state under the auspices of the Federal Bureau of Investigation; and 6) occasional short courses of specific instruction conducted by law enforcement officials who are state certified vocational instructors.

Proposals for Increased Training for Colorado Law Enforcement Officers

There have been four recent proposals for providing increased training for Colorado law enforcement officers: Governor McNichols has proposed a state police academy to be used by the state patrol and local law enforcement officers; John P. Kenney, police expert hired by the Denver city council to study the Denver police department, has recommended a Denver police academy, which would be available to other law enforcement officers; the Colorado State Patrol has plans for a new patrol academy facility, which would also be available, at least on a limited basis, to local law enforcement officials; and House Bill 255 (1961) authorized the director of the crime bureau to establish a training program for all law enforcement officers in the state.

Comparison. Three of the four proposals for increasing training facilities and opportunities for the state's law enforcement officers place the responsibility for the establishment of the facility and program development and operation with the state. The fourth proposal would place this responsibility with the City and County of Denver. Although three of the proposals give training responsibility and authority to the state, there the similarity ends. Governor McNichols recommends that the proposed academy be placed directly under his office. The state patrol would operate the academy which it proposes. House Bill 255 (1961), authorizes the director of the proposed crime bureau to develop a training program.

Governor McNichols' proposed program would providing training for all law enforcement officials in the state, the state patrol included, indicating that the primary emphasis would not be on motor vehicle laws and their enforcement, as would be the case with the academy proposed by the state patrol. The broad provision applying to training in House Bill 255 gives no indication of program emphasis, but a crime bureau director might be more inclined to stress course work in investigative and identification techniques.

Operation of a state crime laboratory and identification bureau is contained in two of the proposals, but with different emphasis. The governor recommends that the bureau be located at the academy and be a part of it. House Bill 255 implies that the training program would be housed at the crime bureau and would be one of its many enumerated functions. The report of the State Patrol Planning Committee makes no mention of a central crime laboratory and identification bureau, other than to state that further study is being given to this subject and its ultimate conclusion in long term plans.

Under the proposal for a Denver police academy, training and facilities would be made available to other law enforcement officials as program expansion would allow, with first priority given to law officers in the metropolitan area.

The Denver crime laboratory and identification bureau is not mentioned in this proposal, so it may be assumed that it would continue to operate as at present.

Relationship Between Training and Crime Bureau. It appears to be logical, as far as location is concerned, to house a crime bureau on the same site as a training facility or academy. The development of an effective interrelationship between the two, however, would depend on many factors. Highly skilled chemists and other specialists are needed for effective laboratory and identification bureau operation. There is some question as to whether bureau personnel under normal circumstances would be able to provide much instruction without hampering bureau operations. Further, it would be difficult to teach laboratory and technical skills in any depth during a short course, although it would be desirable to acquaint local law enforcement officers with these processes through a broad survey approach.

Because of these considerations, it might prove more desirable to operate the crime bureau and the training program as independent entities, even though located in the same place and under the same state official, such as the governor or attorney general. It also might not prove practical to subordinate training functions to crime bureau operation by making training the responsibility of the crime bureau director, unless there is a specific statutory provision for a separate training division.

The practice in other states generally confirms these observations. In those states where both the bureaus and training programs are under the auspices of the state police, these functions are separate. A notable example is Pennsylvania which recently established a new police academy. In those states where training is a

responsibility of the crime bureau, there may be a separate training section as in Ohio, or contractual agreements may be made with universities or other agencies to provide training as in Florida.

Vocational and Academic Training. In any discussion of law enforcement training programs, the distinction should be made between vocational and academic training, although there is an area of overlapping between the two. Most of the instruction provided in pre-service and in-service training courses is vocational in nature, with emphasis on the practical aspects of police functions. These courses are designed to provide the recruit with a background which will be useful on the job and enable the more experienced officer to improve his performance.

Academic police administration and science training is usually thought of as being provided through a four-year college course. Courses in police science administration, and related subjects (such as probation and parole, corrections, and criminal law) are taken in addition to the regular academic requirements for graduation. While actual field work is usually included in the curricula, there is considerable emphasis on theory. Often it is also possible to take graduate work leading to an advanced degree.

In a well-balanced police academy program, there is usually some emphasis placed on academic training, particularly in in-service and command officer courses. In many states, arrangements are made with universities and colleges to provide instructors for in-service training courses with emphasis on theory, history, administrative techniques, and the sociological and psychological aspects of crime and crime control. Some universities and the F.B.I. National Academy offer special courses of six months to one year in duration; law enforcement agencies often send one or more selected officers to attend these classes. Upon completion of these courses, these officers may either be advanced to more technical or skilled positions, or they may serve as instructors in the local police academy training program.

Committee Recommendations

Governor McNichols has indicated to the Criminal Code Committee that the establishment of a central crime bureau and a police academy will be included in the list of subjects he will submit to the Forty-third General Assembly for its consideration during the 1962 session. The committee agrees whole-heartedly with the governor's decision and would recommend that he include these subjects in his message, if he did not intend to do so. The Criminal Code Committee is of the opinion that both a central crime bureau and a police training program are urgently needed in Colorado, as demonstrated by recent events in Denver and the metropolitan area and the difficulties some local law enforcement officials have had in the apprehension of offenders, as indicated by the number of unsolved crimes reported to the committee in response to an inquiry sent to law enforcement officials in various parts of the state.

Even though the committee strongly supports consideration of these subjects in the forthcoming session of the General Assembly, it is unable at this time to make any specific recommendations for the establishment and operation of a central crime bureau and a police training program. The various proposals which have been made should be considered in relation to one another and the state's needs. Opposing views should be reconciled, in so far as possible, so that a crime bureau and police training program can be adopted, which will improve law enforcement within the state to the greatest extent possible and in the most expeditious way.

There are a number of important questions which must be answered before an informed decision can be made by the General Assembly on the best method of establishing and operating a central crime bureau and a police training program.

1) Who should be responsible? Should the major responsibility for both these programs be placed with the governor, attorney general, state patrol, another department, or a new and independent agency? (It may be difficult to answer this question until a decision is made regarding the relationship between the crime bureau and the police training program.)

2) What should be the relationship between the crime bureau and the training program? Should these programs be combined or separated? If separated, should they be operated as distinct divisions of the same agency or office or should responsibility be vested in separate agencies or offices? Whether combined or separated, should these programs be located in the same place? To what extent should bureau staff members also serve in a teaching capacity? (The answers to these questions would help to provide a basis for answering the following question.)

3) Where should the crime bureau and the police academy be located and how large a facility is needed? (In addition to a decision regarding the relationship between the crime bureau and the training program and the administration of both, additional information is needed for decisions regarding the scope of both programs and prospective use of the training facility.)

4) What should be the functions of the central crime bureau? Should these functions be limited to identification and laboratory assistance, or should field investigation assistance also be provided? If field investigation assistance is provided, to what extent and under what circumstances?

5) What should be the scope of the police training program and where should the primary emphasis be placed? Should the prime emphasis be placed on the state patrol training program, with classes for local law enforcement officials included to the extent possible without conflict with the patrol's program? Should the patrol and local law enforcement agencies share in the facility equally, or should the patrol have a separate facility of its own? What will be the effect upon the training program if Denver establishes its own facility and offers its use to other jurisdictions? What will be the effect of the program if Denver forgoes a separate facility and wishes to be included? Should the primary emphasis be placed on pre-service training or should pre-service and in-service training needs be considered equally? What connection, if any, should there be between the University of Colorado, the University of Denver, and the proposed training facility?

6) To what extent would local law enforcement officials use the training facility? (The answer to this question would require a survey of all of the local law enforcement agencies in the state to find out what their training needs are, the amount of annual personnel turnover, and their intentions to use the training facility. The extent to which local law enforcement agencies may use both the training facility and the central crime bureau may depend on the answer to the following question.)

7) How should operation of the central crime bureau and training program be financed? Should all operating costs be financed through a general fund appropriation? If not, what proportion should be so financed? If all operating costs are not financed through a general fund appropriation, to what extent and on what basis should local law enforcement agencies be required to pay for services provided by the crime bureau and for police training programs?

CENTRAL CRIME BUREAU AND LABORATORY

The creation of a central crime bureau and laboratory in Colorado has been advocated by a number of law enforcement officials and legislators during the past 10 years. Legislation to establish such a state central agency was introduced in five different sessions of the General Assembly, beginning in 1951; however, none of these measures passed in the house of origin. The most recent legislative effort was the introduction of House Bill 255 in the first session of the Forty-third General Assembly (1961).¹ This bill was postponed indefinitely by the House Rules Committee, and the House passed House Resolution No. 7, which directed the Legislative Council to study "the feasibility, cost, and possible location of a state bureau of criminal investigation and laboratory."

Arguments For A Central Crime Bureau

Proponents of a central crime bureau argue that such an agency would be of great help to law enforcement officials throughout the state through laboratory analysis, identification and other technical assistance, and field investigation assistance. It is pointed out that with the exception of the Denver metropolitan area, Pueblo, and Colorado Springs, law enforcement officials are generally untrained and lack the technical knowledge for complex investigations; in some areas of the state, this lack applies to routine investigations as well. Salaries in most cities, towns and sheriffs' offices are too low to attract and retain trained law enforcement officers.² The sheriff, himself, is paid from the fees of his office and these are insufficient in most counties to provide an adequate standard of living. Many small municipalities have a one-man police force, and in many small counties, the sheriff-operates a one-man office.

Many states have police or investigative officers with state-wide jurisdiction. In Colorado, the jurisdiction of the state patrol is limited to traffic violations occurring outside of the boundaries of incorporated cities and towns. Traditionally, the creation of a state police agency with broad state-wide jurisdiction has been opposed in Colorado, and local control of law enforcement has been strongly preferred. A central crime bureau and laboratory has been advocated as a means of avoiding the need for a state police force, through the strengthening of local law enforcement efforts while preserving local jurisdiction.

1. See Appendix A for the complete text of H.B. 255.

2. Exclusive of the Denver metropolitan area, Colorado Springs, and Pueblo, the average salary for a police officer in 1960 was \$312 per month in cities over 2,000 population and \$227 in towns under 2,000 population. Source: Wages, Salaries and Fringe Benefits in Colorado Cities and Towns, 1960, Colorado Municipal League, Boulder.

Arguments Against A Central Crime Bureau

Opponents of a central crime bureau are afraid that the creation of such an agency would result in an usurpation of local law enforcement control, regardless of the safeguards which may be written into any proposed legislation. They are concerned over the possible expense of such an agency and the methods by which the cost might be underwritten, i.e., possibly by local law enforcement agencies. Further there is the feeling that the red-tape which might be involved in obtaining the services of the proposed agency could hamper local law enforcement efforts rather than help them. Because of a lack of time and personnel, law enforcement officials in some small counties and municipalities object to the reports which they might be required to make to a central agency, and yet they recognize that it would be difficult for a central crime bureau to operate efficiently without such a requirement.

Present Interest in a Central Agency

Until recent years, laboratory and identification assistance has been provided to law enforcement officials throughout the state by the Denver Police Department. But increased workload coupled with equipment and personnel limitations have made it presently impossible for the City and County of Denver to provide assistance to any law enforcement officials outside of the Denver metropolitan area. The unavailability of technical assistance from Denver, although provided only on a limited basis to law enforcement officials in outlying areas in the past, is one reason why there has been renewed interest in the creation of a central agency. Recent law enforcement problems in the Denver metropolitan area, increasing crime rates, and conflicts over jurisdiction and investigative procedures between some district attorneys and sheriffs have all focused state-wide attention on law enforcement and proposals for improvement, especially the creation of a central crime bureau and laboratory.

Provisions of House Bill 255 (1961)

An analysis of House Bill 255 (1961) will show the general approach to the creation of a central crime bureau, which has been advocated since 1951.³ Under the provisions of this proposed legislation, a state bureau of criminal identification and laboratory would be established under the control of the attorney general. The director of the bureau would be appointed by the attorney general subject to the constitutional and statutory provisions pertaining to civil service and accompanying rules and regulations. The director would have the responsibility for appointing the deputy director and all other employees, all of whom would also be under civil service.

Subject to the written approval of the attorney general, the director would have the authority to prescribe the rules and regulations (consistent with law) for the administration of the bureau;

3. All of the proposed bills introduced since 1951 have been similar in their provisions.

the performance of all functions; and the custody, use, and preservation of all records and documents and related material. He would also be responsible for the inception of such scientific studies, record systems, training and laboratory facilities as may be deemed necessary.

Functions of Bureau. The bureau's functions would include:

- 1) procurement and maintenance of files covering photographs, outline pictures, descriptions, fingerprints, measurements, statistics, and related data;
- 2) establishment and maintenance of laboratory facilities;
- 3) establishment of a police sciences training program for all law enforcement officers in the state of Colorado;
- 4) provision of information contained in files to any local, state, or federal law enforcement agency and to prosecuting attorneys, courts of record, parole and probation departments, and coroners' or medical examiners' offices; and
- 5) provision of assistance to local law enforcement agencies and prosecuting attorneys upon written request in investigating crimes, including the identification, apprehension, and prosecution of offenders.

Local law enforcement officials and the chief of the Colorado State Patrol would be required to transmit to the bureau all records, statistics, fingerprints, photographs, outline pictures, and other data. The reports to the bureau would be made at such times as designated by the director and in such form as would comply with the rules and procedures of uniform crime reporting. The wardens of the state correctional institutions would also be required to furnish the bureau with photographs, descriptions, and fingerprints of all persons received for confinement and of all persons discharged or released on parole.

Local Investigations. No employee of the bureau could assist in a local investigation unless such assistance was requested in writing by a sheriff, police chief, or prosecuting attorney. The director and employees of the bureau would have the powers of peace officers only when required to perform police functions within a county, municipality, or judicial district. The local law enforcement official making the written request for bureau assistance would have the authority to deputize the employees of the bureau working with him for as long as necessary for them to perform their duties, but such employees of the bureau would be prohibited from usurping or superseding the powers of local law enforcement officers and prosecuting attorneys.

The bureau would have the authority to accept and file names, fingerprints, photographs, and other personal identification information submitted voluntarily by individuals or parents on behalf of their children. This information would not be used for any purpose other than personal identification except by court order. Only employees of the bureau and persons specifically authorized by the

director would have access to the files and records of the bureau, and no information contained in the files would be disclosed except to those officials enumerated unless such disclosure was deemed necessary by the director in the interest of national security or the safety of the state's residents.

Reactions to House Bill 255 (1961)

During the first three months of 1961, the State Crime Laboratory Committee, an informal committee composed of law enforcement officials and interested citizens, sent a questionnaire to law enforcement agencies throughout the state. A copy of House Bill 255 was attached to the questionnaire, and the questions were directed specifically to provisions of the bill. Following are the questions asked and a tabulation of the replies:

- | | | |
|--|--------|-------|
| 1) In your opinion, does the state need a bureau as prescribed in this bill? | Yes 85 | No 4 |
| 2) If this bill is passed, will you use this facility to aid you in your work? | Yes 87 | No 2 |
| 3) Do you feel that in order to comply with the requirements set forth in this bill, that it would work a hardship on your agency? | Yes 8 | No 77 |
| 4) Will you contact your legislator and make your views known? | Yes 85 | No 3 |
| 5) Does the general concept of this bill meet with your approval? | Yes 85 | No 4 |

Analysis of the returned questionnaires shows that replies were received from 32 county sheriffs and 57 municipal police officials. The responses show overwhelming support for a central crime bureau as provided in House Bill 255. These results, however, do not indicate necessarily that all local law enforcement officials in the state are strongly in favor of the proposal, because only one-half of the county sheriffs and slightly more than one-fourth of the municipal police officials submitted returns.

It should be noted, however, that these questionnaires were returned from all areas of the state and were submitted by many law enforcement officials in both small and medium-size municipalities and counties. Typical of the comments made by some of these officials were the remarks made by the Gunnison chief of police. "I can think of nothing we small police departments need as much as this laboratory and Identification Bureau ~~/sic/~~ It is common knowledge that we are unable to maintain and staff this type of laboratory. Although we have at times a great need for these facilities." The Florence police chief commented, "I feel that an identification bureau is fast becoming a necessity in criminal investigation, due to the increase in crime in recent years. And also because of the limited facilities and equipment in small departments such as we have here."

Similar remarks were made by the sheriffs of Chaffee, Las Animas, Morgan, Pueblo, San Miguel, and Yuma counties and by police officials in Canon City, Dillon, Dove Creek, Empire, Estes Park, Fowler, Hot Sulphur Springs, Kremmling, La Jara, Leadville, Longmont, Mancos, and Nucla.

The fear that a central crime bureau might usurp local law enforcement was expressed by the Glenwood Springs police chief, who opposed the measure. The chief of police in Boulder indicated support of House Bill 255, but stressed the importance of having state investigators sent to a local area only at the express written request of a local law enforcement official. The sheriff of Kit Carson County, on the other hand, felt that the need for a written request might cause undue delay when investigative help was needed immediately.

The sheriffs of Larimer and Mesa counties supported the proposed legislation, but expressed concern over placing too much authority in the hands of the attorney general through the appointment power granted him by House Bill 255. As an alternative they suggested that local law enforcement officials have a voice in selecting the bureau's director.

There was some further difference of opinion over the functions of the proposed bureau. The chief of police in Grand Junction stated that the bureau should be limited to laboratory and identification functions, but not because he feared that state investigative authority would usurp local law enforcement control despite local objections. On the contrary, he felt that the availability of state investigators would cause many communities to hire law officers who were actually watchmen, so that they would depend entirely on the state for investigative work. The police chief in Pueblo stated that all of the proposed functions were desirable with the exception of a central identification bureau. He felt that central identification files were not needed, because the F.B.I. can provide complete fingerprint records. The Brush chief of police saw the central bureau as a great service to small communities, if they were not required to support it on a fee basis.

County Sheriffs' Attitude Toward House Bill 255. Nearly one-half of the county sheriffs (as indicated above) did not return the questionnaire on House Bill 255. At the October 6, 1961, meeting of the County Sheriffs' Association, the provisions of House Bill 255 (1961) were discussed, along with central crime bureaus generally.⁴ Generally, the sheriffs were in favor of a central agency to serve as a clearing house on information and to perform laboratory tests. There was considerable opposition to the provisions of the bill which

4. At the direction of the Criminal Code Committee and at the request of County Sheriffs' Association, a Legislative Council staff member attended the October 6 meeting to find out how the sheriffs felt about a central crime bureau generally and House Bill 255 specifically.

would authorize the crime bureau employees to assist in field investigations, even though the proposed legislation provided that such assistance would be given only if requested by a sheriff, police chief, or district attorney.⁵ There were two reasons why the sheriffs opposed the field investigation assistance provisions: 1) Despite the restrictions contained in House Bill 255, some sheriffs felt that inroads might be made on their authority, with the consequence that their functions might be reduced to process serving. 2) Because of the conflicts between some sheriffs and district attorneys, it was felt that state crime bureau personnel could be called in by a prosecuting attorney and used to undermine the sheriff's operation and authority.

Two possible alternatives were suggested by the sheriffs to the provisions of House Bill 255 pertaining to field investigations: 1) either delete these provisions entirely from the bill; or 2) give the sheriffs the sole authority to request field assistance from the central crime bureau.

Some of the sheriffs were also concerned with two other provisions of House Bill 255. It was felt by some that the section of the proposed measure relating to the establishment of a training program was too vague, and they preferred additional language, which would spell out clearly the content of such training, eligibility, how the training was to be financed, and whether it would be mandatory or permissive.⁶ Some sheriffs from very small counties were concerned with the mandatory requirements that certain reports be made to the central crime bureau. They said that they had neither the time, personnel, or local resources to provide this information. Other sheriffs, however, commented that the central agency could not be effective unless it received the information required in the bill.

Governor's Support for a Central Crime Bureau. In connection with his recommendation that a state police academy be established to provide training for all law enforcement officers within the state, Governor Stephen L. R. McNichols has advocated the creation of a central crime bureau and laboratory.⁷ It was his opinion that the crime bureau and laboratory should be located within the police academy and be associated with it.⁸ Rather than have the crime bureau and the police training program under the authority of the attorney

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5. This opposition to field investigation functions was also reported to the criminal code committee by Sheriff Ray Scheerer, Larimer County and a member of the criminal code advisory committee, at the committee's October 27, 1961, meeting.
 6. "The bureau shall establish an adequate training program in the police sciences for all law enforcement officers within the state of Colorado." House Bill 255 (1961), Section 8 (3).
 7. Legislative Council Criminal Code Committee, Minutes, Meeting of October 27, 1961,
 8. Police training programs and the relationship with central crime laboratories are covered in a later section of this report.

general, the governor has recommended that both these functions be placed directly under his supervision, because the major responsibility for law enforcement lies with the chief executive of the state. He indicated his opposition to usurpation of local law enforcement authority by stating that local communities should not have to tolerate unwarranted interference.⁹

Cost of Establishing and Operating a Central Crime Bureau

Capital Outlay. It is practically impossible to estimate the costs for land and building construction, as no decision has been made as to where the crime bureau is to be located, whether a new facility is needed or an existing facility can be remodeled, or whether the crime bureau will be housed within a state police academy. An estimate can be made, however, of initial capital outlay for equipment. It would cost approximately \$20,000 to equip a crime laboratory adequately, including office and field equipment.¹⁰ Other office and field equipment, including two automobiles, a polygraph, and two-way radio equipment, would cost approximately an additional \$20,000.¹¹ In other words, it would require an initial capital outlay of at least \$40,000, exclusive of the cost of land or building construction, to equip a central crime bureau and laboratory.

Operating Costs. The median annual per capita cost of operating a central crime bureau and laboratory in other states is \$.051.¹² On this basis, it would cost approximately \$90,000 annually in Colorado. It should be remembered, however, that this per capita cost figure includes states which have a crime bureau as a state police adjunct (cost is usually lower) and those which perform extensive investigation services in connection with the central bureau's operation (cost is usually higher).

It is difficult to estimate operating costs accurately without a clear understanding of the crime bureau's functions and the number of people required to staff it adequately. As an example, Oregon (with approximately the same population as Colorado) has five staff members as follows:¹³ 1) director, who is also a qualified chemist; 2) assistant director, qualified in ballistics, examination of tool marks, paints, and other materials and who is also a qualified photographer; 3) two technicians, both qualified chemists, for laboratory duties such as the identification of drugs, poisons, narcotics, and determination of blood alcohol; 4) one medical stenographer who prepares, indexes and files reports and other

9. Criminal Code Committee, Minutes of October 27, 1961, op.cit.
10. Based on cost estimates for a proposed Nevada Crime Bureau and Laboratory contained in "A Study of the Feasibility of Establishing a Nevada Bureau of Criminal Identification and Investigation." Bulletin No. 40, Nevada Legislative Counsel Bureau, December, 1959, pp. 61-63.
11. Ibid.
12. Median -- one-half the states with a higher annual per capita and one half with lower.
13. Letter from Deputy Superintendent, Oregon Crime Detection Laboratory and Bureau of Criminal Investigation, dated September 6, 1961.

related office duties. The annual per capita cost in Oregon is only \$.025, because the Oregon bureau is operated as a division of the state police, and field investigations and related clerical work are performed by other state police personnel. Consequently, the bureau in Colorado as proposed in House Bill 255 might also require one or two clerk-typists and at least one or two field investigators. Without the inclusion of field investigation it might be possible to have a staff very similar in size to Oregon's, with the addition of one or two clerk-typists. The cost reduction resulting from a saving in field investigators' salaries, travel, and equipment might bring the annual budget down to approximately \$60,000.

Central Crime Bureaus and Laboratories in Other States

The information contained in this section was compiled from questionnaires sent to other states by the Legislative Council staff, at the request of the Criminal Code Committee. Replies were received from 47 states. From this information, it appears that 39 states now have a state-operated crime bureau of one kind or another. Washington had a state crime bureau until June 30, 1961, but the state legislature failed to appropriate any money for its continued operation, and the bureau ceased to function on July 1, 1961. Arizona, Delaware, Virginia, Washington, and Wyoming stated that they did not have such agencies, and from the information available, it appears that Nevada and New Hampshire are attempting to establish crime bureaus.

Names of Crime Bureaus

As might be expected, the various state crime bureaus have a multitude of names and titles. Most of the names are indicative of the function and purpose which they serve. The following will illustrate the names employed by the various state-operated crime bureaus.

Alabama	Department of Toxicology and Criminal Investigation
Connecticut	Bureau of Identification
Iowa	Division of Criminal Investigation
Minnesota	Bureau of Criminal Apprehension
New York	Police Scientific Laboratory
Ohio	Bureau of Criminal Identification and Investigation

Operation

In 16 states (Arkansas, Connecticut, Idaho, Indiana, Louisiana, Maine, Maryland, Massachusetts, Michigan, Missouri, New Jersey, New Mexico, New York, Oregon, Pennsylvania, and Wisconsin) the crime bureau is operated by either the state police or state patrol. A department of public safety (which has other functions besides the operation of the crime bureau) is charged with operating the crime bureaus in Georgia, Illinois, Iowa, Mississippi, Oklahoma, South Carolina, Tennessee, Texas, Utah, Vermont, and West Virginia. Five states (Alabama, California, Kansas, Minnesota, and North Carolina) have crime bureaus which are patterned after the Federal

Bureau of Investigation. The bureaus in the first four of these states have original jurisdiction in all cases if they wish to exercise this jurisdiction, and the bureau in North Carolina has original jurisdiction in all narcotics violations. The other states have established various agencies to function as crime bureaus. The Florida bureau is known as the Florida Sheriffs' Bureau; the Montana and North Dakota bureaus are a part of the penitentiary; and in Ohio, the bureau is a part of the Department of Mental Hygiene and Corrections.

Several states have established more than one agency to perform the functions of a crime bureau. For example, Alabama has a crime bureau operated by the Division of Public Safety and a central crime laboratory operated by the Department of Toxicology and Criminal Investigations. Rhode Island has four such agencies: 1) A bureau of identification under the attorney general; 2) A bureau of identification in the state police headquarters; 3) A toxicology lab operated by the department of health, and; 4) A complete scientific laboratory operated jointly by the University of Rhode Island and the attorney general.

Types of Crime Bureaus

There is a great deal of variation in the type and purpose of crime bureaus in the reporting states. However, the replies which have been received indicate that there are three basic services which are performed by state-operated crime bureaus. These services are: 1) to serve as a criminal identification clearing house for state and local law enforcement personnel; 2) to provide special laboratory and technical services to state and local law authorities; and 3) to make state investigators available to assist local police in their criminal investigations. All state crime bureaus perform at least one of the above services. Fourteen states indicated that their crime bureaus provide two of these services, and 15 states reported that their crime bureaus provide all three services.

The most common services provided by state crime bureaus are those related to the laboratory. Thirty-one states provide laboratory and technical services to all local law enforcement agencies. Twenty-seven states provide a central clearing house criminal identification. Nineteen states indicated that they made state agents or investigators available to local police officials for assistance in criminal investigations.

The primary function served by the crime bureau varies greatly from state to state and a detailed analysis is impossible from the information in the replies. However, a few general observations can be made. The bureaus which are operated by the state police generally have facilities for criminal identification and laboratory analysis. As a rule, these bureaus do not provide investigative assistance to local police officials. The reason for this is that the state police have general police jurisdiction throughout the state anyway, and use their field patrolmen or troopers to make all criminal investigations. The crime bureau is used only as a staff agency, although local police also use their facilities.

Most of the bureaus which provide investigative assistance to local law enforcement authorities are under the jurisdiction of the attorney general or department of justice. These bureaus usually do a great deal of investigative work for both the state attorney general and local law enforcement agencies and operate much in the same way as the Federal Bureau of Investigation. These bureaus not only provide trained agents and investigators upon request by local law officials, but in most cases have established fingerprint and photograph records for criminal identification as well as laboratory facilities.

Jurisdiction

It appears that there are only three states which have not vested their crime bureaus with police and investigative power. All the other states reporting indicate that the personnel in their crime bureaus have police and investigative authority throughout the state. Louisiana states that their criminal laboratory personnel do not have investigative powers, even though the laboratory is operated by the state police. Ohio's bureau does not have police powers and functions only as an assisting agency. In Wisconsin, employees of the state crime laboratory are prohibited by law from possessing police powers, although they do have investigative authority.

Exercise of Investigative Powers

In all the reporting states which have crime bureaus with investigative power, investigations can be undertaken in one of two ways: 1) the crime bureau may be ordered to investigate a matter by the governor, attorney general, the bureau director or, in some cases, by state judges; 2) the crime bureau may send investigative personnel to assist local law enforcement agencies upon request by the local police officer in charge and upon approval by the crime bureau director. Almost all of the reporting states indicate that it is not their policy to investigate within local governmental boundaries unless requested to do so by the proper local authorities.

Financing

Most of the states indicated that their crime bureaus are financed by appropriations from the general fund. The Arkansas state police and its crime bureau are financed by money derived from the sale of driver's licenses. The Missouri crime laboratory, operated by the state highway patrol, derives 90 per cent of its revenue from state highway funds and 10 per cent from general revenue funds. The Oregon crime detection laboratory is financed partly by fixed charges for certain examinations performed for local law enforcement agencies. The Vermont crime bureau and laboratory is financed equally from the general fund and the highway fund. Crime bureau budgets and per capita operating costs for selected states are shown in the following table:

<u>State</u>	<u>('57-'58) Budget</u>	<u>('57-'58) Per Capita Cost</u>	<u>('60-'61) Budget</u>	<u>('60-'61) Per Capita Cost</u>
Alabama	N.A.	N.A.	\$ 164,000	\$.050
California	\$1,447,567	\$.108	2,376,359	.151
Florida	N.A.	N.A.	511,671	.103
Georgia	125,000	.034	145,118	.037
Illinois	144,185	.015	N.A.	N.A.
Indiana	N.A.	N.A.	210,389	.045
Iowa	162,000	.060	220,000	.079
Kansas	180,134	.087	287,449	.131
Louisiana	30,000	.010	24,434	.007
Maine	85,903	.094	N.A.	N.A.
Maryland	N.A.	N.A.	235,000	.076
Massachusetts	N.A.	N.A.	37,897	.007
Michigan	27,000	.004	49,850	.006
Minnesota	210,000	.065	247,500	.072
Missouri	100,000	.024	249,649	.057
New Jersey	430,000	.079	475,380	.078
New York	N.A.	N.A.	300,000	.018
North Carolina	305,345	.071	332,326	.072
North Dakota	19,000	.029	22,962	.036
Ohio	196,781	.022	272,468	.028
Oklahoma	320,000	.143	N.A.	N.A.
Oregon	80,130 ^a	.046	44,035	.025
South Dakota	90,040	.129	N.A.	N.A.
Tennessee	N.A.	N.A.	188,390	.052
Texas	N.A.	N.A.	394,000	.041
Utah	16,750	.020	N.A.	N.A.
Vermont	15,000	.041	66,068	.169
Washington	97,000	.037	N.A.	N.A.
Wisconsin	134,943	.036	N.A.	N.A.

a. Biennial appropriation.

The 1960-61 annual budgets varied from a high of \$2,376,359 in California to a low of \$22,962 in North Dakota. The per capita cost ranged from \$.006 in Michigan to \$.169 in Vermont. The median budget amount is \$235,000 (Maryland) and the median per capita cost is \$.051.

Services Provided

As previously stated, there are three basic types of crime bureau services which are extended to local police and law enforcement units: 1) criminal identification; 2) laboratory and technical services; 3) investigative assistance. The criminal identification service requires that a crime bureau keep a record of fingerprints and photographs. This service is probably the most frequently used by local law enforcement agencies.

Various laboratory analyses and technical services are also made available to local police authorities. The number and nature of these services vary greatly from state to state. The following is a list of the services generally made available by most crime bureaus:

- Laundry Identification
- Ballistics Identification
- Firearm Identification
- Photography Services
- Handwriting Analyses
- Chemical Analyses (of many different types)
- Document Examination
- Polygraph and Lie Detector Services

The investigative services which most crime bureaus make available consist primarily of the "loan" of a state agent or investigator to assist local police officials in their criminal investigations. In most states, a crime bureau will render investigative assistance only where felonies have been committed. Some states, such as California and Oklahoma, use a centralized system of investigative assistance. Under this method, the investigators are loaned out by the state bureau headquarters after a local request for assistance has been received. A few states use a decentralized system. South Dakota, for example, has established eight investigative districts with a state agent in each. The agent himself determines the priority of local assistance requests. He is equipped with a car and special laboratory equipment for his criminal investigation work.

Personnel

Requirements for crime bureau personnel are high in all states; consequently, salaries are also relatively high. This is particularly true of laboratory technicians, since considerable education and training are required to perform the highly specialized laboratory work. The investigative personnel of most crime bureaus are usually people with broad police backgrounds. It is particularly noteworthy that the reporting states placed a great deal of importance on the qualifications of the director of such an agency. Most replies emphasized that the director should have technical knowledge as well as a sound police background.

Success of Central Crime Bureaus

Each state clearly indicated that its crime bureau had been highly successful and reported that local law enforcement agencies made considerable use of the available services. But it should be pointed out that most of the replies were written by crime bureau personnel, who naturally regard their work as important and consider their agency successful. From the available information, however, it can be reported that, since the inception of each state crime bureau, the services and budget of each agency have greatly increased.

POLICE TRAINING PROGRAMS

Very closely related to the establishment of a central crime bureau and laboratory are proposals for a state police academy, which would provide pre-service and in-service training for all law enforcement officers within the state. In the past, efforts at improving law enforcement in the state have been directed primarily at the creation of a central crime bureau; police training was considered important but secondary. At the present time, however, police training has been considered by many to be the foremost need and to be of at least equal importance by others. The recent Denver police scandal and metropolitan area law enforcement problems have caused attention to be focused on the adequacy of training received by law enforcement officers and has led to increased emphasis being placed on adequate training as a means of improving law enforcement throughout the state.

Law Enforcement Training Now Provided in Colorado

Present training programs for law enforcement officials in Colorado are limited to: 1) pre-service and in-service training program of the Colorado State Patrol; 2) Denver police department's pre-service training program for recruits; 3) pre-service police training programs in Colorado Springs and Pueblo; 4) the annual two-week crime institute in Boulder for all law enforcement officials; 5) occasional three and four-day short courses conducted in various areas of the state under the auspices of the Federal Bureau of Investigation; and 6) occasional short courses of specific instruction conducted by law enforcement officials who are state certified vocational instructors.

Colorado Highway Patrol. The Colorado State Patrol operates an annual six-week training school for new patrolmen. The course of instruction covers all phases of motor vehicle law enforcement such as accident investigation, motor vehicle laws, laws of arrest, first aid, interrogation, nature and causes of accidents, and report writing. Instruction is carried out primarily by command officers on the patrol staff, some of whom have been sent by the patrol to the Northwestern University Traffic Institute and the F.B.I. National Academy for special course work.

The patrol also has an annual in-service training program, which is a week in duration. This program is operated over a several week period, and patrol officers are brought in from the field in small numbers for a week at a time to avoid interruption with normal patrol operations. The present patrol training programs are conducted at Lowry Field. Formerly, the patrol used Camp George West for this purpose, but this facility proved undesirable because of the bad conditions of the buildings and the difficulty in providing adequate maintenance. From time to time, the patrol has accepted a small number of local law enforcement officers in the training program, but has been unable to do this on a larger scale because of time and facility limitations.

Denver Police Department. The present training program of the Denver Police Department is restricted to recruit training. Recruits who have passed all preliminary written, oral, and physical examinations and have been sworn in, attend the pre-service training school for six weeks. After completing the course they are placed on duty on a probationary status for six months. Prior to the completion of the six-month probationary period, these recruits have one to two weeks of further training. Upon successful completion of the training program and the probationary period, they are commissioned as fourth-grade patrolmen.

This pre-service training program is conducted at the recreation center at 20th and Curtis, in Denver, where the second floor is set aside for this purpose. The recruits also have limited access to the gymnasium facilities and the swimming pool located at the center. Recent classes have been small, the last two consisting of 26 and 16 men respectively. No outside law enforcement officials have applied or have been accepted for participation in this program.

At one time, the Denver Police Department had an in-service training program for command personnel. Three one-week courses were held annually for command personnel on criminology and the sociological aspects of crime, with instructors provided by the University of Colorado, the University of Denver, and the Denver Commission on Human Relations. This program was in operation from 1947 through 1949. No reason has been given as to why this program was abandoned other than that, because of a shortage of personnel, the program interfered with normal police department operations.

Boulder Crime Institute and F.B.I. Short Courses. Each year since 1949 a two-week crime institute has been held in Boulder under the auspices of the Boulder police department and staffed primarily by F.B.I. agents. The course of instruction is quite broad rather than detailed, covering a wide scope of subjects related to law enforcement. In connection with the institute, however, a more detailed and technical course on fingerprinting and identification is also given. The institute is open to law enforcement officials throughout the state.

From time to time at the request of local law enforcement officials, the F.B.I. has conducted short courses of three and four days' duration. Course instruction is usually provided by F.B.I. agents. During the past year, there were three of these short courses given: Cortez, Grand Junction, and Southeastern Colorado. Participation in these courses is open free of charge to law enforcement officials in the area.

Other. Both Colorado Springs and Pueblo are reported to have pre-service training programs for police personnel. Another source of police training is provided through the Division of Vocational Services, State Department of Education. Eight law enforcement officials (five of them from Denver) have been certified as instructors by the State Board for Vocational Education. From time to time, local police officials request the assistance of the Division of Vocational Services in holding a short police training program. The division assists them in several ways: 1) by contacting its certified

instructors to see who will be available; 2) by arranging to hold the program in a local school; and 3) by underwriting 40 per cent of the program cost.

Proposals for Increased Training for Colorado Law Enforcement Officers

There have been four recent proposals for providing increased training for Colorado law enforcement officers: Governor McNichols has proposed a state police academy to be used by the state patrol and local law enforcement officers; John P. Kenney, police expert hired by the Denver city council to study the Denver police department, has recommended a Denver police academy, which would be available to other law enforcement officers; the Colorado State Patrol has plans for a new patrol academy facility, which would also be available, at least on a limited basis, to local law enforcement officials; and House Bill 255 (1961) authorized the director of the crime bureau to establish a training program for all law enforcement officers in the state.

Governor McNichol's Proposal. Governor McNichols told the Criminal Code Committee that he strongly favored the building of a state police academy, which could be used by the Colorado State Patrol and all local law enforcement officials. He has proposed that the academy be located at Buckley Field and combined insofar as possible with proposed facilities for national guard training. It was the governor's opinion that construction of the police academy could be financed through the sale of state property located at 300 Logan Street in Denver and Camp George West.¹

He proposed that the facilities of the academy be made available to all communities on a pay-as-you-go or tuition basis. While there are no definite plans developed as yet for the proposed academy, Governor McNichols said the facilities should include: administrative offices; eating and sleeping quarters; classrooms; pistol range; and space for the central crime bureau.² It was the governor's recommendation that the operation of the academy be placed directly under his office rather than a specific state agency such as the office of the attorney general or the state patrol.³ He stressed the need for the academy to provide in-service training for all police personnel, including those on a supervisory level, as well as initial training. President Quig Newton, University of Colorado, is working with the governor's office in developing curriculum requirements. He stated that the academy must be the finest of its kind in the country and felt that it would do much to improve law enforcement in the state, provide a reservoir of trained police officers, and help to erase the unfavorable image of law enforcement caused by recent troubles in Denver and the metropolitan area.⁴

1. Colorado Legislative Council Criminal Code Committee, Minutes of October 27, 1961, meeting.

2. Ibid.

3. Ibid.

4. Ibid.

The State Patrol Planning Committee stated the following reasons for the recommendation that immediate steps be taken to establish an academy:⁹

- a. The need for a much more comprehensive training program for all members of the Colorado State Patrol;
- b. Utilization of the training received by members of this department who have attended the Traffic Institute of Northwestern University, the F.B.I.'s National Police Academy, or other specialized courses and training schools;
- c. The increasing need for a year around training program whereby a smaller number of officers could receive much more comprehensive training with greater emphasis on the needs of the individual and his problems; as well as one which would reduce the number of officers who would be taken off of the roads at any one time during the year;
- d. The pressing need for modern methods, facilities, and equipment to instill a greater respect and more interest in the State Patrol among its members, and in the eyes of the general public; and in addition, provide more efficient and productive instruction to the state's peace officers, and improved service to the citizens of Colorado.
- e. The need for more modern training procedures in this department and an exchange of ideas and information with like academies [sic] in other states which would lead, ultimately, to uniform law enforcement throughout the United States;
- f. That the increase in traffic and the need for more officers will increase the need for an academy with each succeeding year.
- g. That the facilities of such an academy would be available to other state, county, and local agencies as scheduling, funds, and other facilities would permit. Special courses would be made available

9. Ibid. pp. 41-42.

training program would be housed at the crime bureau and would be one of its many enumerated functions. The report of the State Patrol Planning Committee makes no mention of a central crime laboratory and identification bureau, other than to state that further study is being given to this subject and its ultimate conclusion in long term plans.¹²

Under the proposal for a Denver police academy, training and facilities would be made available to other law enforcement officials as program expansion would allow, with first priority given to law officers in the metropolitan area.

The Denver crime laboratory and identification bureau is not mentioned in this proposal, so it may be assumed that it would continue to operate as at present.

Relationship Between Training and Crime Bureau. It appears to be logical, as far as location is concerned, to house a crime bureau on the same site as a training facility or academy. The development of an effective interrelationship between the two, however, would depend on many factors. Highly skilled chemists and other specialists are needed for effective laboratory and identification bureau operation. There is some question as to whether bureau personnel under normal circumstances would be able to provide much instruction without hampering bureau operations. Further, it would be difficult to teach laboratory and technical skills in any depth during a short course, although it would be desirable to acquaint local law enforcement officers with these processes through a broad survey approach.

Because of these considerations, it might prove more desirable to operate the crime bureau and the training program as independent entities, even though located in the same place and under the same state official, such as the governor or attorney general. It also might not prove practical to subordinate training functions to crime bureau operation by making training the responsibility of the crime bureau director, unless there is a specific statutory provision for a separate training division.

The practice in other states generally confirms these observations. In those states where both the bureaus and training programs are under the auspices of the state police, these functions are separate. A notable example is Pennsylvania, which recently established a new police academy.¹³ In those states where training is a responsibility of the crime bureau, there may be a separate training section as in Ohio, or contractual agreements may be made with universities or other agencies to provide training as in Florida.

Vocational and Academic Training. In any discussion of law enforcement training programs, the distinction should be made between vocational and academic training, although there is an area of overlapping between the two. Most of the instruction provided in

12. Colorado State Patrol Planning Committee Preliminary Report, op.cit. p.3.

13. See the following section for a more detailed discussion of police training in selected states.

pre-service and in-service training courses is vocational in nature, with emphasis on the practical aspects of police functions. These courses are designed to provide the recruit with a background which will be useful on the job and enable the more experienced officer to improve his performance.

Academic police administration and science training is usually thought of as being provided through a four-year college course. Courses in police science administration, and related subjects (such as probation and parole, corrections, and criminal law) are taken in addition to the regular academic requirements for graduation. While actual field work is usually included in the curricula, there is considerable emphasis on theory. Often it is also possible to take graduate work leading to an advanced degree. Depending on the area of specialization, graduates of these programs may find employment in laboratories and identification bureaus, correctional systems, or probation and parole. If they do begin their careers as regular police recruits, their academic training usually assures advancement to high command levels, if their on-the-job performance merits it.

In a well-balanced police academy program, there is usually some emphasis placed on academic training, particularly in in-service and command officer courses. In many states, arrangements are made with universities and colleges to provide instructors for in-service training courses with emphasis on theory, history, administrative techniques, and the sociological and psychological aspects of crime and crime control. Some universities and the F.B.I. National Academy offer special courses of six months to one year in duration; law enforcement agencies often send one or more selected officers to attend these classes. Upon completion of these courses, these officers may either be advanced to more technical or skilled positions, or they may serve as instructors in the local police academy training program.

All of these methods of training are designed to develop professional skills and promote professional competence throughout an entire law enforcement agency, insofar as possible.

Law Enforcement Training Programs in Selected States

The vocational and academic programs covered in this section were selected to illustrate some of the different approaches to law enforcement training and are not intended to be all inclusive.

Vocational Training

Pennsylvania. The new Pennsylvania State Police Academy at Hershey was completed in June, 1960, at a cost of \$1.5 million. Following is a description of the academy's facilities:¹⁴

A two-story dormitory wing provides living quarters for 100 cadets, plus staff personnel, two men assigned to each room. Another one-story wing features three classrooms and a gymnasium. A sound system permits broadcasting and intercommunication throughout the Academy. Other facilities include a quartermaster storeroom, library, medical office and recreation rooms.

All rooms and offices are air conditioned. Parking facilities are provided for approximately 100 cars.

To the west of the main building there are stables for 60 horses in individual stalls, saddle and blacksmith shops, tack room and feed storage loft. Three fenced corrals covering three acres are adjacent to the stables.

A service garage next to the stables affords storage and maintenance facilities for vehicles. A dismounted drill field of one and a half acres is provided for sports, calisthenics and drill. There is also a complete pistol and rifle range with firing points at 15, 25, 50, 75 and 200 yards.

The recruit training program at the academy consists of five months' study of Pennsylvania law, court procedures, and police practices, as well as physical conditioning and self-defense and actual experience in police techniques. Cadets live at the academy throughout the training period, following a schedule which begins at 6:00 a.m. and ends at 10:00 p.m. daily. Recruits are permitted to leave the academy only on weekends from noon Saturday until midnight Sunday. While at the academy, recruits are paid a salary of \$86 bi-weekly.¹⁵

14. Pennsylvania State Police, Pennsylvania State Police Public Information Bulletin No. 1, July 1961, p.16.

15. Ibid.

In addition to state policemen, the academy also trains municipal police officers under a separate program established by law for Pennsylvania city, borough, and township police departments. All authorized municipal police officers may be sent to the academy for an eight-week training course. The charge to municipalities sending such officers is \$80 per man for the eight-week period.¹⁶

The municipal police officers' course is divided into separate programs for experienced officers desiring refresher courses and for inexperienced officers who are sent to the academy for basic training. The academy is also utilized regularly for refresher courses for experienced state police officers and for seminars in special police subjects.¹⁷

Ohio. The Ohio Bureau of Criminal Identification and Investigation has a separate police training section. Following is a description of the Ohio training program:¹⁸

Each spring the academy conducts a fingerprint classification and identification school of three week duration. The training is for officers whose respective departments are maintaining or planning to operate identification bureaus of their own. Another school on scientific criminal investigation is conducted each fall. This school, of three weeks duration, is to acquaint police and sheriff's officers with the work of locating latent prints at the scenes of crimes, preservation of evidence, fingerprinting suspects, questioned document examination, the use of the lie detector or polygraph in criminal investigation, the investigation of safe burglaries and assaults, the courts of Ohio, preparation of police reports, making of plaster casts and study of glass fractures, the law of arrest, the law of evidence and the law of search and seizure, how to use the bureau's criminal identification laboratory, homicide investigations and preserving evidence in such investigations, police firearms and firearms identification, effective court appearance and how to testify and basic functions of a modern police department.

BCI [Bureau of Criminal Investigation] training schools were inaugurated in 1947, and to date more than 975 law enforcement officers, including police and sheriff's officers, have been graduated. This number is exclusive of

16. Ibid. p.18.

17. Ibid.

18. Annual Report, Ohio Bureau of Criminal Identification and Investigation, Fiscal Year 1960-61, unpagged.

the out-of-state officers, West Virginia, Pennsylvania, Michigan and Indiana, who have also graduated from these schools. Students from foreign lands, who have completed special training by the bureau staff, have included officers from Indonesia, Iran, Tunisia, San Salvadore, Thailand and Phillipine Islands and Greece, etc. Foreign officers who have received training in the bureau were assigned by the International Association of Chiefs of Police, Washington, D.C.

The bureau schools are free to all law enforcement officers. In addition to the spring and fall schools, officers may be assigned to the bureau for special training sessions.

There has been a great deal of progress made in the training courses. Specialized courses in photography and bogus check identifications have been instigated with great success. An Identi-Kit school on construction of face features was conducted with great success as was a specialized course for military personnel in investigative techniques. Many evening and one day training sessions were given throughout Ohio.

Florida. The Florida Sheriffs' Bureau, which serves as the central crime bureau and law enforcement agency in that state, is also charged with responsibility by statute for contracting for the establishment of training programs and for approving those law enforcement officers selected for such training:¹⁹

The bureau either by contract or agreement may authorize any state university in Florida or any other organization to provide training for peace officers, which training shall embrace police techniques in detecting crime, apprehending criminals, securing and preserving evidence. All law enforcement officers selected by the various law enforcement agencies, if their selection is approved by the bureau, shall receive such training free with the exception of actual cost of housing and meals.

Kansas. An annual six-day peace officers training program is held on the campus of the University of Kansas under the joint auspices of the Kansas Peace Officers' Association and the university's Governmental Research Center. This program is financed by an annual

19. 30.42 Florida Statutes of 1957.

legislative appropriation. Approximately 160 sheriffs and local police officers attend the training school, including a few from the neighboring states of Missouri, Nebraska, and Oklahoma.²⁰ The only expense for trainees is payment for room and board. Topics covered in the 1959 program included among others: firearms instruction, polygraph demonstration, investigation of sex crimes, civil defense, law of evidence, alcoholic beverage control, report writing, techniques of accident investigation, and principles of identification.²¹ The curriculum also included a special two-day session for sheriffs. The instructors are state police officers, city police officials, state agency officials, and university staff members.

Training Programs in Other States for Local Law Enforcement Officers. In several states, the attorney general's office has an annual conference for sheriffs and prosecuting attorneys to teach the latest methods of investigation.²² In Iowa both the sheriffs' association and the police officers' association hold regular schools for local peace officers.²³ The Rhode Island state police conducts a course for local law enforcement officers as does the Texas Department of Public Safety, which has the responsibility for all state law enforcement activities, including the crime bureau and laboratory. In addition to the University of Kansas, the state universities of Iowa, Illinois, and Indiana organize and conduct police officer training programs.²⁴ Usually these institutions cooperate with the state police department or department of public safety in providing instructors and equipment.

Academic Programs

Degree programs in police science, administration, and related subjects are now offered by several universities and colleges. Notable among these are Indiana University, Michigan State University, Washington State College, and Wichita (Kansas) University.

Michigan State University. One of the best known and highly regarded of these academic programs is the one at Michigan State University. The School of Police Administration and Public Safety provides preparation for career service in several kinds of police work and related fields. Supported by a broad education, training is given to develop professional competence in the fields of: law enforcement administration, police science, the prevention and control of delinquency and crime, correctional administration, industrial security administration, and highway traffic administration.²⁵

20. Thirteenth Annual Peace Officers Training School, Special Report No. 97, Governmental Research Center, University of Kansas, February, 1960.

21. Ibid.

22. Training of Law Enforcement Officers in the Various States, Research Memorandum No. 1, Arkansas Legislative Council, 1956, p.9.

23. Ibid.

24. Ibid., p.12.

25. Michigan State University Catalog, 1958-1959, pp.131-132.

The program is offered in cooperation with the law enforcement, correctional administration, and private organizations in Michigan. A two-term field service training program is required of all students majoring in police science or a related field. This field training is arranged to meet the needs of each student's major field of interest and is conducted in cooperation with law enforcement, correctional, and highway traffic agencies in the state.²⁶ In addition to the undergraduate program, graduate courses are offered leading to an advanced degree.

Some of the courses offered by the School of Police Administration and Public Safety include: police patrol administration, criminal investigation, police science laboratory, special problems in police administration, police and court traffic administration, the prevention and control of delinquency and crime, probation and parole administration, criminal law and evidence, and administration of correctional institutions.²⁷

26. Ibid.

27. Ibid., pp.156-158.

APPENDIX A

First Regular Session

Forty-third General Assembly

STATE OF COLORADO

By Representatives Mackie, O'Donnell
and Johns

HOUSE BILL NO. 255
State Affairs

A Bill for an Act

1 CREATING A STATE BUREAU OF CRIMINAL IDENTIFICATION AND
2 LABORATORY AND PRESCRIBING POWERS AND DUTIES
3 THEREOF.

4 *Be It Enacted by the General Assembly of the State of Colorado:*

5 *Section 1. State bureau of criminal identification and laboratory.*

6 There is hereby created a department of the state government which shall
7 be known and designated as the "state bureau of criminal identification
8 and laboratory", which bureau is hereby placed under the jurisdiction of
9 the attorney general.

10 *Section 2. Definitions.* As used in this article, the following words or
11 terms shall mean:

12 (1) "Attorney general" shall mean the attorney general of the state
13 of Colorado.

14 (2) "Director" shall mean the executive and administrative head of
15 the said state bureau of criminal identification and laboratory.

16 (3) "Technician" shall mean any employee of the state bureau of
17 criminal identification and laboratory especially skilled in one or more
18 special branches of crime detection and identification.

19 (4) "Bureau" shall mean the state bureau of criminal identification

*Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

and laboratory.

Section 3. Director—appointment. Subject to the provisions of article XII, section 13 of the constitution of the state of Colorado, the attorney general shall appoint a director.

Section 4. Duties of the director. The director shall be the executive head and administrative officer of the bureau. He shall supervise and direct the administration and all activities of the bureau. The director shall establish a state bureau of criminal identification and laboratory and shall employ such experts and other employees as may be necessary for the conduct of the work of the bureau, subject to the provisions of article XII, section 13 of the constitution of the state of Colorado. The director shall, subject to the written approval of the attorney general, prescribe rules and regulations, not inconsistent with law, for the government of the bureau, the conduct of its employees, the distribution and performance of its duties, and the custody, use, and preservation of the records, papers, documents, and property pertaining thereto, and authorize the inception and operation of such scientific studies, record systems, training, and laboratory facilities as may be deemed necessary.

Section 5. Deputy director—appointment. Subject to the provisions of article XII, section 13 of the constitution of the state of Colorado, a deputy director shall be appointed by the director, subject to the approval of the attorney general.

Section 6. Duties of the deputy director. At the request of the director or in his absence or disability, the deputy director shall perform all of the duties of the director and when so acting he shall have all of the powers

1 of, and be subject to all of the restrictions upon, the director. In addition,
2 he shall perform such other duties as may from time to time be assigned
3 to him by the attorney general or the director.

4 **Section 7. *Personnel appointment.*** Subject to the provisions of article
5 XII, section 13 of the constitution of the state of Colorado, the director shall
6 appoint all technicians and personnel as are necessary to conduct an
7 efficient bureau, subject to the approval of the attorney general.

8 **Section 8. *General duties and functions of bureau.*** (1) The bureau
9 shall procure and file for record: Photographs, outline pictures, descriptions,
10 information, fingerprints, measurements, and statistics, pertaining to
11 criminal identification and to the commission of crimes that will be of
12 assistance to law enforcement within the state of Colorado.

13 (2) The bureau shall establish and maintain such laboratory
14 facilities as will be consistent with its work.

15 (3) The bureau shall establish an adequate training program in the
16 police sciences for all law enforcement officers of the state of Colorado.

17 **Section 9. *Who to furnish information.*** The sheriff, chief of police,
18 marshal, and chief law enforcement officer in every county, city, town,
19 village, municipality, and local governmental unit within the state of
20 Colorado, and the chief of the Colorado state patrol shall transmit to the
21 bureau, as provided in section 11, all information, records, statistics,
22 fingerprints, photographs, outline pictures, and other data described in
23 section 8 (1), that pertain to their jurisdiction.

24 **Section 10. *Wardens of penal institution to report.*** It is hereby made
25 the duty of the warden or keeper of the state penitentiary and such other

1 correctional, reformatory, and penal institutions as the state of Colorado
2 has established or may hereafter establish, to furnish the bureau a photo-
3 graph, description, and fingerprints of all persons received for confinement,
4 and of all persons released by parole or discharge therefrom. The release
5 photograph shall be taken immediately prior to such release.

6 **Section 11. Method and manner information to be reported.** The
7 officers and officials described in section 9 and section 10, shall furnish
8 the information described in section 8 (1), in such form as will comply
9 with the rules and procedures of uniform crime reporting. The reporting
10 shall be made at or within such times or periods as shall be designated
11 by the director, and shall be reasonable and compatible with the re-
12 porting facilities available to such officers and officials.

13 **Section 12. Bureau to file identification data furnished by or on**
14 *behalf of individuals—restrictions on use of same.* The bureau shall
15 accept and file names, fingerprints, photographs, and other personal identifi-
16 cation data submitted voluntarily by individuals or submitted by parents
17 on behalf of their children for the purpose of securing a more certain
18 and easy identification in case of death, injury, loss of memory, or change
19 of appearance of such person. Any law enforcement agency mentioned in
20 this act shall, when requested to do so by a citizen of the state of Colo-
21 rado, take without cost to the citizen, at least two sets of fingerprints
22 of such citizen and forward one copy to the bureau. The fingerprints of
23 citizens, filed for personal identification, shall not be used for any purpose
24 other than that specified in this section, except under order of a court
25 of competent jurisdiction.

1 **Section 13. Bureau to furnish information to peace and law enforce-**
2 *ment officers.* Upon application and subject to provisions of section 12,
3 the bureau shall furnish a copy of all information available pertaining
4 to the identification and history of any person of whom the bureau has
5 a criminal record or any other information:

6 (1) To any sheriff's office, police department, or law enforcement
7 agency of any county, city, town, village, municipality, or local govern-
8 mental unit within the state of Colorado, to the Colorado state patrol
9 and to any other law enforcement agency of the state of Colorado; or

10 (2) To any bureau similar in nature to this bureau in any other
11 state or in any jurisdiction of the United States; or

12 (3) To the prosecuting attorney of any judicial district of the state
13 of Colorado; or

14 (4) To any court of record in the state of Colorado; or

15 (5) To any coroner's or medical examiner's office of any county of
16 the state of Colorado; or

17 (6) To any parole or probation department; or

18 (7) To any federal law enforcement agency.

19 **Section 14. Files and records—use restricted.** Only employees of the
20 bureau and persons specifically authorized by the director shall have
21 access to the files or records of the bureau. No such file or record or
22 information shall be disclosed by any employee of the bureau except to
23 officers and officials as provided in section 13 and except as may be
24 deemed necessary by the director in the interest of national security or
25 the safety of the people of the state of Colorado.

1 **Section 15.** *Bureau shall assist and cooperate with local authorities.*

2 The director shall on written request only of any sheriff, chief police
3 officer, or prosecuting attorney of the state of Colorado assist such officer
4 or official, in investigating any crime or crimes including the identification,
5 apprehension, and prosecution of the perpetrator or perpetrators thereof,
6 and for this purpose may detail such employee or employees of the
7 bureau for such length of time as the director deems necessary.

8 **Section 16.** *Powers of director and employees statewide—limited.*

9 The director and employees of the bureau shall be vested with the powers
10 of peace officers only when required to perform police functions within
11 any of the various counties, cities, or judicial districts of the state of
12 Colorado. Therefore, the officials described in section 15 may deputize
13 or appoint such director or employees of the bureau for such length of
14 time as is necessary to perform their duties; but they shall in no wise
15 usurp or supersede the powers of the local sheriffs, police, and law en-
16 forcement officers, and no employee of the bureau shall be required to
17 perform any police function outside the bureau without the protection,
18 defense, or immunities as are provided to safeguard a police officer in
19 the performance of official acts.

20 **Section 17.** *Rewards.* No reward offered for the apprehension or
21 conviction of any person or for the recovery of any property may be
22 accepted by an employee of the bureau.

23 **Section 18.** *Withholding or falsifying information—removal or*
24 *mutilation of records—penalty.* Any person who shall wilfully give
25 false information or wilfully withhold information in any report lawfully

1 required of him under the provisions of this act, or who shall remove,
2 destroy, alter, or mutilate any file or record of the bureau, or who shall
3 wilfully violate any provision of this act, shall be guilty of a misdemeanor,
4 and upon conviction, shall be punished by a fine of not more than three
5 hundred dollars, or by imprisonment in the county jail for not more than
6 ninety days, or by both such fine and imprisonment.

7 **Section 19. Invalidity of sections.** If any provision of this act is
8 held invalid, such invalidity shall not affect the other provisions of this
9 act which can be given effect without the invalid provisions, and to this
10 end the provisions of this act are declared severable.

11 **Section 20. Safety clause.** The general assembly hereby finds, de-
12 termines, and declares that this act is necessary for the immediate preserva-
13 tion of the public peace, health, and safety.

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